



COUNTY OF LOS ANGELES  
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County Counsel

May 19, 2010

TO: SACHI A. HAMAI  
Executive Officer  
Board of Supervisors

Attention: Agenda Preparation

FROM: JOHN F. KRATTLI   
Senior Assistant County Counsel

RE: **William Steinberg and Lenora Steinberg v. Los Angeles**  
**County Sheriff's Department, et al.**  
**Los Angeles Superior Court Case No. MC 020 218**

Attached is the Agenda entry for the Los Angeles County Claims Board's recommendation regarding the above-referenced matter. Also attached are the Case Summary and the Summary Corrective Action Plan to be made available to the public.

It is requested that this recommendation, the Case Summary and the Summary Corrective Action Plan be placed on the Board of Supervisor's agenda.

JFK:rfm

Attachments

## Board Agenda

### MISCELLANEOUS COMMUNICATIONS

Los Angeles County Claims Board's recommendation: Authorize settlement of the matter entitled William Steinberg and Lenora Steinberg v. Los Angeles County Sheriff's Department, et al., Los Angeles Superior Court Case No. MC 020 218, in the amount of \$145,000 and instruct the Auditor-Controller to draw a warrant to implement this settlement from the Sheriff's Department's budget.

This lawsuit arises from an automobile accident involving an employee of the Sheriff's Department.

## CASE SUMMARY

### INFORMATION ON PROPOSED SETTLEMENT OF LITIGATION

CASE NAME	William Steinberg and Lenora Steinberg v. Los Angeles County Sheriff's Department and Robert Garcia
CASE NUMBER	MC020218
COURT	Los Angeles County Superior Court
DATE FILED	March 5, 2009
COUNTY DEPARTMENT	Sheriff's Department
PROPOSED SETTLEMENT AMOUNT	\$ \$110,000 for Leonora Steinberg; \$35,000 for William Steinberg
ATTORNEY FOR PLAINTIFF	Jack C. Sevey, Esq.
COUNTY COUNSEL ATTORNEY	Jerry M. Custis
NATURE OF CASE	Husband and wife Lenora Steinberg, 72, and William Steinberg, 73, sued the Sheriff's Department and Deputy Robert Garcia for personal injury, lost income and property damage arising from an intersectional collision with a Sheriff's patrol car west of Lancaster. Sheriff's Deputy Robert Garcia, on patrol, was driving south on 90th Street West. He stopped at a stop sign at Avenue J, then attempted to cross that avenue. The Steinbergs' car, traveling at 55 m.p.h. westward on Avenue J, hit the patrol car broadside. There

was no stop sign or signal for the Steinberg car, so it had the right of way.

Mrs. Steinberg suffered a broken patella, severe chest bruising and other bruising in the accident.

At present, Mr. Steinberg complains of dull and constant back pain. He says he becomes fatigued each day and must lay down in mid-afternoon.

The case presents considerable risk of liability in the event it goes to trial. Given these uncertainties and the nature of the injuries claimed, resolution of this case through settlement provides adequate compensation for the plaintiffs and eliminates the risk of higher damages being assessed against the County.

PAID ATTORNEY FEES, TO DATE	\$	27,200
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PAID COSTS, TO DATE	\$	9,413
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Case Name: Steinberg v. Los Angeles County Sheriff's Department, et al.



## Summary Corrective Action Plan

The intent of this form is to assist departments in writing a corrective action plan summary for attachment to the settlement documents developed for the Board of Supervisors and/or the County of Los Angeles Claims Board. The summary should be a specific overview of the claims/lawsuits' identified root causes and corrective actions (status, time frame, and responsible party). This summary does not replace the Corrective Action Plan form. If there is a question related to confidentiality, please consult County Counsel.

Date of incident/event:	Wednesday, July 9, 2008; 6:45 p.m.
Briefly provide a description of the incident/event:	<p><b><u>Steinberg v. Los Angeles County Sheriff's Department</u></b> (Summary Corrective Action Plan #2010-008CR)</p> <p>On Wednesday, July 9, 2008, at approximately 6:45 p.m., an on-duty Los Angeles County deputy sheriff was driving a standard black and white patrol vehicle south on 90<sup>th</sup> Street West, north of Avenue J, Lancaster (Unincorporated Los Angeles County). As the deputy sheriff entered the intersection of Avenue J and 90<sup>th</sup> Street West, the vehicle he was driving was struck by the plaintiff's vehicle.</p>

1. Briefly describe the root cause(s) of the claim/lawsuit:

A public entity is responsible for the negligent acts of its employees when the acts are committed in the course and scope of employment.

Following the collision, one plaintiff (driver of the second vehicle) was transported to a local medical facility for treatment. He sustained severe bruising and abrasions. He also participated in physical therapy.

His passenger (also a plaintiff), was transported to a local medical facility for treatment. She sustained severe bruising and abrasions, and a fractured kneecap. She underwent surgery to repair her kneecap. She also participated in physical therapy.

The plaintiffs' vehicle, (a 1998 Oldsmobile, California License Number 4DIL982), sustained major damage.

The deputy sheriff and his passenger, also a deputy sheriff, sustained minor injuries.

The patrol vehicle, (a 2007 Ford Crown Victoria, California License Number 1254636), sustained major damage.

2. Briefly describe recommended corrective actions:

(Include each corrective action, due date, responsible party, and any disciplinary actions if appropriate)

The Los Angeles County Sheriff's Department had adequate policies and procedures/protocols in effect at the time of the incident.

County of Los Angeles  
Summary Corrective Action Plan

The Los Angeles County Sheriff's Department's training curriculum sufficiently addresses the circumstances which occurred in this incident.

The traffic collision was thoroughly investigated by representatives from the Los Angeles County Sheriff's Department. Their investigation concluded that the driver of the patrol vehicle caused the collision by failing to yield the right-of-way from a posted stop sign (a violation of California Vehicle Code Section 21802(a), Stop Signs: Intersections). The investigation also concluded that the plaintiff likely did not contribute to the cause of the collision.

The Los Angeles County Sheriff's Department's administrative review revealed employee misconduct. Appropriate administrative action was taken.

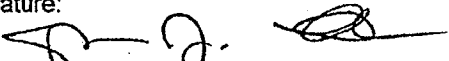
This summary corrective action plan has no countywide implications (refer to #3 below).

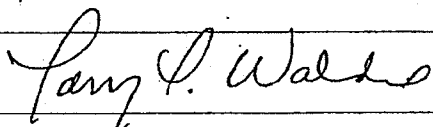
3. State if the corrective actions are applicable to only your department or other County departments: (If unsure, please contact the Chief Executive Office Risk Management Branch for assistance)

- ☐ Potentially has Countywide implications.
- ☒ Potentially has an implication to other departments (i.e., all human services, all safety departments, or one or more other departments).
- ☒ Does not appear to have Countywide or other department(s) implications.

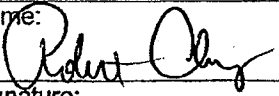
*needs to be checked*

Los Angeles County Sheriff's Department

Name: (Risk Management Coordinator)	
Shaun J. Mathers, Acting Captain, Risk Management Bureau	
Signature: 	Date: 3/18/10

Name: (Department Head)	
Larry Waldie, Undersheriff	
Signature: 	Date: 03/23/10

Chief Executive Office Risk Management Branch

Name: 	
Signature: Robert Chavez	Date: 4/27/10

I:Risk Mgt. Inspector General/CAP-SCAP-RECAP/Summary Corrective Action Plan Form 2-01-10 (Final).docx